



United States Department of the Interior

BUREAU OF RECLAMATION
Washington, D.C. 20240

IN REPLY REFER TO:

UC-700/PXAO-6000
PRJ-5.10

MEMORANDUM

To: Secretary of the Interior

Through: Amy Holley, Acting Chief of Staff *Amy Holley*
Office of the Assistant Secretary - Water and Science *MAB 14 2001*

From: Stephen V. Magnussen *Stephen V. Magnussen*
Secretary's Designee and Chairman, Glen Canyon Dam Adaptive Management Program

Subject: Report and Recommendations to the Secretary of the Interior

The passage of the Grand Canyon Protection Act of 1992 (GCPA) resulted in the creation of the Glen Canyon Dam Adaptive Management Program (AMP). The AMP involves a wide array of stakeholders who serve as members of the Adaptive Management Work Group (AMWG), a group chartered under the Federal Advisory Committee Act. The GCPA requires consultation with these stakeholders regarding dam operations to protect the environmental and cultural resources of the Grand Canyon. The program is managed by the Bureau of Reclamation and with power revenues it annually funds approximately \$8 million of adaptive management, scientific research, and resource protection activities in Glen and Grand Canyons. The National Academy of Sciences has called this particular adaptive management effort "a science policy experiment of local, regional, national, and international importance."

On January 11-12, 2001, the AMWG met to discuss ongoing scientific monitoring and research activities and potential impacts of the operation of the dam. Under the program charter, the AMWG may make recommendations to the Secretary of the Interior on these issues. During the January meeting, the following formal recommendations to the Secretary were passed by motion and vote:

1. MOTION: Recommend that the Secretary adopt the FY 2002 AMP Work Plan and budget request [\$6.576 million power revenues for USGS (GMCRC) scientific work, \$1.399 million power revenues for Reclamation administration, tribal consultation, and cultural compliance work., and \$1.01 million USGS appropriations request for scientific work] for total of \$8.985 million.

2. **MOTION:** Recommend support for the USGS seeking appropriations for the AMP.
3. **MOTION:** Recommend that the Secretary seek funding for AMWG Federal agencies to support tribal participation.
4. **MOTION:** Recommend that the Technical Work Group Budget Process Ad Hoc Group be charged to develop and ensure implementation of the prioritization process.
5. **MOTION:** Recommend that the Secretary seek funding for AMWG Federal agencies to support scientific activities related to experimental flows in FY 2002.

The budget request of Motion #1 is consistent with the power revenue funding cap established in the FY 2001 Energy and Water appropriations bill. Motion #2 addresses the need for additional funds above the power revenue amount to fund monitoring and research activities. Motion #3 indicates unanimous support by the AMWG for the Federal agencies to fund from appropriations their tribal government-to-government consultation mandates. A fund transfer request is currently being considered for FY 2001, similar to the action taken in FY 2000. Motion #4 is a charge to the TWG to prioritize the work efforts in FY 2002 to ensure the most important activities are accomplished. Motion #5 indicates a current lack of sufficient funding to monitor the results of experiments in dam operations and other management actions below Glen Canyon Dam. Experimentation is key to understanding the cause and effect relationships in the Grand Canyon. In addition to these recommendations, further information about the January meeting may be found at Reclamation's website at www.uc.usbr.gov.

These formal recommendations are the result of extensive discussion and debate of a committee chartered under the Federal Advisory Committee Act. If you have comments, suggestions, or questions, you can reach me at (602) 216-3901.

Attachment

cc: Acting Chief of Staff
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Attention: Amy Holley

Assistant Secretary, Fish and Wildlife & Parks, ms3012-MIB, Washington DC
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Assistant Secretary, Indian Affairs, 4160 ms4140-MIB, Washington DC
Attention: Kevin Gover

Deputy Assistant Secretary, PMB, 6117 ms1418-MIB, Washington DC
Attention: Robert Lamb

Commissioner, Bureau of Reclamation, ms7654-MIB, Washington DC
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Deputy Director, National Park Service, 3112 ms3316-MIB, Washington DC
Attention: Denis Galvin

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**Additional Background Information on the AMWG Recommendations
to the Secretary of the Interior**

MOTION: Recommend that the Secretary adopt the FY 2002 AMP Work Plan and budget request [\$6.576 million power revenues for USGS (GMCRC) scientific work, \$1.399 million power revenues for Reclamation administration, tribal consultation, and cultural compliance work., and \$1.01 million USGS appropriations request for scientific work] for total of \$8.985 million.

Under the Energy and Water Development Appropriation of FY 2001, the funding from Colorado River Storage Project Act power revenues has been capped at the FY 2001 level of \$7.85 million, adjusted in subsequent years for inflation. This amount covers both the administrative, tribal consultation and cultural compliance work of the programs and the scientific monitoring and the research work administered by the USGS. Because the financial needs of the AMP exceed this amount, the USGS is also requesting about \$1 million in appropriations for supplemental scientific work

The AMP stakeholders are concerned that insufficient funds are being directed toward the monitoring of Grand Canyon resources in compliance with the Grand Canyon Protection Act; thus, Interior agencies are seeking to apply appropriated funds to the issues of tribal consultation and monitoring and research.

MOTION: Recommend support for the USGS seeking appropriations for the AMP.

Since the Grand Canyon Monitoring and Research Center is institutionally located within the USGS, stakeholders agree that the USGS should be the focus of additional appropriations requests to augment the monitoring and research activities of the AMP.

MOTION: Recommend that the Secretary seek funding for AMWG Federal agencies to support tribal participation.

Federally recognized Indian tribes are domestic dependent nations, and the legal relationship between the federal government and tribes is one as set forth in the Constitution of the United States, treaties, statutes, Executive orders, and court decisions. Indian tribes have a guaranteed right to self-govern and to exercise inherent sovereign powers over their members and reservations. The United States government works with Indian tribes on a government-to-government basis to address issues concerning Indian tribal self-government, trust resources, and Indian tribal treaty and other rights. Tribal trust resources include land and natural resources either on or off Indian reservations and other assets, retained by, or reserved by or for Indian tribes held by the federal government in trust and are protected by a fiduciary obligation on the part of the United States.

To ensure the fulfillment of the Federal Indian trust responsibility the Department of the Interior has established policies and procedures for government-to-government consultation with federally recognized Indian tribes and tribal members for the identification, conservation, and

protection of American Indian trust resources, trust assets, or tribal health and safety. Indian trust assets are values derived from land resources including surface water and groundwater, natural vegetation and wildlife, and air quality. Any potential impacts from Federal actions or activities to tribal trust assets must be properly addressed between the affected tribe and the appropriate Federal agency prior to any disturbance to such resources. In the case of the AMP, this consultation is unusually extensive and complex, requiring significant tribal resources. This recommendation by the AMWG addresses the need for Federal agencies to finance this consultation through appropriations.

MOTION: Recommend that the TWG Budget Process Ad Hoc Group be charged to develop and ensure implementation of the prioritization process.

With the limitation placed on the amount of power revenues available for the AMP, it will be crucial that the most important scientific needs are being addressed through the monitoring and research program. Due to the uncertain status of annual appropriations, it would be impossible to specifically allocate all program costs in advance, but this recommendation directs the Technical Work Group to consider the priorities of various proposals in accomplishing the intent of the Grand Canyon Protection Act.

MOTION: Recommend that the Secretary seek funding for AMWG Federal agencies to support scientific activities related to experimental flows in FY 2002.

In the context of an adaptive management program, the conducting of experimentation is viewed as essential to increasing the scientific understanding of the ecosystem. Such experimental flows from Glen Canyon Dam carry both the economic impact to power generation, but also the need to fund additional scientific research to understand the impacts of such experiments. In the past, the cost of monitoring such experiments have ranged from \$1 million to \$3 million. The AMP has an experimental flow account to fund such monitoring from power revenues, but is here recommending that Interior allocate additional appropriations to the AMP to allow additional experimentation to continue.